



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10  
1200 Sixth Avenue  
Seattle, WA 98101

June 25, 2007

Reply To  
Attn Of: ETPA-088

Ref: 06-035-AFS

Ms. Katherine Farrell, Project Leader  
3160 NE Third Street  
Prineville, OR 97754

Dear Ms. Farrell:

The U.S. Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (DEIS) for the **Spears Vegetation Management Project** on the Ochoco National Forest in Oregon. We are submitting comments pursuant to our responsibility under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The Ochoco National Forest (the Forest) is proposing to treat the Spears Project Area to (1) improve the condition of Late and Old Structure (LOS); (2) improve early-seral species composition and resiliency; (3) reduce the risk of uncharacteristic wildfire; (4) improve the vigor of hardwood plant communities; and (5) encourage the expansion of woody vegetation in Riparian Habitat Conservation Areas (RHCAs). The preferred alternative would treat approximately 16,740 acres within the 39,200 acre project area. The DEIS considers a no-action alternative and four action alternatives:

1. Alternative 1 – No Action. This alternative represents the existing condition. Under this alternative, current resource management activities would continue, but there would be no active management to restore forest health or reduce hazardous fuels.
2. Alternative 2 – Proposed Action. The proposed action includes approximately 6,172 acres of commercial harvest, 11,160 acres of precommercial thinning, and 196 acres of thinning in hardwood stands. Fuel reduction activities include approximately 15,464 acres of prescribed fire, and 3,015 acres of grapple piling, and 718 acres of hand piling. Approximately 15.4 million board feet (mmbf) would be harvested, and a total of 30 miles of road would be constructed or reconstructed. Decommissioning would occur on 6.5 miles of road.
3. Alternative 3 – This alternative was developed to address the purpose and need without the use of commercial timber harvest. Under this alternative the Forest would precommercially thin 9,899 acres, and conduct hardwood thinning on 196 acres. Fuel reduction activities include approximately 13,926 acres of prescribed fire, and 856 acres of hand piling. No new roads would be constructed, reconstructed or decommissioned.
4. Alternative 4 – Preferred Alternative. This alternative was developed with an emphasis on using existing roads and minimizing new road construction. Activities under this alternative would include approximately 4,935 acres of commercial harvest, 10,935 acres of precommercial thinning, and 196 acres of thinning in hardwood stands. Fuel reduction activities include approximately 15,162 acres of prescribed fire, and 2,490 acres of grapple piling, and 793 acres of hand piling. Approximately 12.3 mmbf would be harvested, and a total of 15.4 miles of road would be constructed or reconstructed. Decommissioning would occur on 5.9 miles of road.
5. Alternative 5 –In response to concerns related to wildlife habitat, this alternative includes a

greater emphasis on variable density thinning and retention of dense patches of vegetation. Activities under this alternative would include approximately 3,942 acres of commercial harvest, 10,952 acres of precommercial thinning, and 196 acres of thinning in hardwood stands. Fuel reduction activities include approximately 14,205 acres of prescribed fire, and 2,150 acres of grapple piling, and 881 acres of hand piling. Approximately 8.9 mmbf would be harvested, and a total of 13.3 miles of road would be constructed or reconstructed. Decommissioning would occur on 4.9 miles of road.

Our review focused on Alternative 4, the preferred alternative. Based on the information provided, we are rating the DEIS as EC-1 (Environmental Concerns – Adequate). An explanation of this rating can be found on the EPA website at <http://www.epa.gov/compliance/nepa/comments/ratings.html>. The Environmental Concerns rating is associated primarily with concerns about impacts to water quality and uncertainty around the level and sufficiency of monitoring provided for in the document, as well as questions around how and to what extent road impacts will be addressed after closure. We also recommend that the final EIS include additional information about the methodology proposed for determining critical shade in riparian areas proposed for harvest. We have discussed our comments in detail in the enclosed attachment.

Thank you for the opportunity to review and comment on this draft EIS. If you have questions or would like to discuss these comments, please contact Teresa Kubo of my staff at 503/326-2859.

Sincerely,

//s//

Christine B. Reichgott, Manager  
NEPA Review Unit

Enclosure

**Spears Vegetation Management Project  
Draft Environmental Impact Statement  
EPA Region 10 Detailed Comments**

**Monitoring**

Table 55 on page 172 indicates that under the Preferred Alternative, there are six harvest units within Riparian Habitat Conservation Areas (RHCAs) that present a risk of delivering sediment to streams. It is not clear from the document whether any sediment monitoring will occur on these sites. Given that many of the potentially impacted streams serve as habitat for redband trout, we recommend that sediment levels be monitored both during project implementation, and once the project is complete. Additionally, the document is not clear on the level of effectiveness monitoring that would occur relative to erosion control measures. We recommend that the final EIS indicate how sediment impacts would be measured, and how the effectiveness of measures utilized to mitigate such impacts would be measured. The document should also indicate how this information would be used as an effective feedback mechanism for the project.

We also note that, aside from activities outlined on page 38, there is little discussion of project-level monitoring. Monitoring is necessary for determining (1) whether Best Management Practices (BMPs) have been implemented; (2) the effectiveness of management practices; and (3) whether predictions regarding ecosystem functions and processes are valid. We recommend that the FEIS more fully discuss how each of these objectives will be accomplished.

**Roads**

We commend the Forest for placing emphasis on using existing roads and minimizing new road construction in the preferred alternative. We also note that new roads will be closed or decommissioned when harvest operations are completed (page 35). We appreciate these measures being taken, but request that the FEIS provide additional detail on how, and under what circumstances roads will be closed or decommissioned. It may be helpful to make District written guidelines related to road closure and decommissioning available on the Forest Service website, or as an appendix to the FEIS.

Additionally, review of potential impacts from roads and harvest units would be facilitated by the inclusion of a map that combines road and harvest unit information with information on riparian habitat conservation areas. Currently, none of the alternative maps contain a stream layer.

**RHCA Harvest**

Table 32 (page 80) indicates that the preferred alternative would include 1,834 acres of treatment within RHCAs. EPA appreciates the effort taken in the analysis to address INFISH Riparian Management Objectives (RMOs) for these treatment areas. We note that according to page 78, the RMO for water temperature (based on a 7-day average) is currently exceeded. Given that stream shading is a primary factor affecting stream temperature (page 160), it will be of key importance to identify that vegetation providing critical stream shading. It is not clear from the brief description on Page 84 what methodology will be used to make this determination. Effective shade is affected by side slope steepness, vegetation species composition, vegetation height and density, distance of trees from the stream bank, and stream width and orientation. We recommend that the final EIS give additional discussion to how vegetation that provides critical stream shade will be identified.

**Clean Water Act**

Page 258 indicates that EPA has certified the Oregon Forest Practices Act and regulations as BMPs. The EPA is not on record as having certified the Oregon Forest Practices Act as adequate to meet Clean Water Act standards. In order to allay any confusion this statement might cause we encourage the Forest to remove any reference within this section to the Oregon Forest Practices Act.